

EXHIBIT 9

UPDATE 2-Government probes Lilly's marketing practices. Reuters News March 25, 2004
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HEADLINE: UPDATE 2-Government probes Lilly's marketing practices.

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BODY:

NEW YORK, March 25 (Reuters) - The U.S. Justice Department is investigating the **marketing practices** of Eli **Lilly** and Co., the drugmaker said on Thursday, the most recent in a slew of **probes** into sales **practices** by big pharmaceutical companies.

Lilly said it will cooperate with the investigation, which it said likely targets promotional **practices** for its best-selling product, the \$4.3 billion-a-year schizophrenia treatment Zyprexa, as well as antidepressant Prozac and osteoporosis drug Evista.

The **probe** was launched by the U.S. Attorney's Office in Philadelphia, which was not immediately available for comment.

The Indianapolis drugmaker, whose shares were down 1.5 percent to \$65.46 in afternoon trade, declined to specify the **practices**. The company said it could not predict the outcome of the investigation but that, as with any investigation, the **probe** could have a material negative impact on its finances.

"Most major drugmakers are seeing this kind of thing, of **government** officials trying to make sure they don't step over the line and get too over-aggressive in the way they sell their products," said Mehta Partners analyst Shaojing Tong.

Tong said drugmakers are more likely to resort to over-aggressive tactics when it comes to drugs that are used by millions of people, such as psychiatric and cholesterol medicines.

Federal and state investigators in Pennsylvania have been particularly active in pursuing drugmakers and other health-care companies that might be engaging in improper **practices** to boost their profit.

Pennsylvania's attorney general earlier this month sued 13 drug companies, accusing them of artificially inflating prices of medicines to cheat taxpayers, employees and Medicaid recipients. The suit seeks hundreds of millions of dollars in compensation.

The U.S. Attorney's Office in Philadelphia in January said it had subpoenaed records of three large U.S. drugmakers - Wyeth, Johnson & Johnson and Forest Laboratories Inc. - in a **probe** relating to potentially over-aggressive **marketing** of their psychiatric drugs.

Moreover, the Philadelphia federal prosecutor last summer assumed the lead in a whistleblower lawsuit against Medco Health Solutions, a pharmacy benefits manager that prosecutors say put its profit ahead of fulfilling its mission to lower the cost of drugs.

Other drugmakers in recent years have had to pay sizable fines to settle allegations that they had bilked the federal Medicare and state Medicaid insurance programs for the poor and elderly by overcharging for their products.

Pfizer Inc., the world's biggest drugmaker, agreed in March 2003 to pay Pennsylvania and 46 other states \$49 million to settle allegations that it failed to pay required drug rebates to the states' Medicaid insurance programs for its Lipitor cholesterol treatment.

TAP Pharmaceuticals, a joint venture between Japan's Takeda Chemical Industries Ltd. and Abbott Laboratories Inc., paid \$875 million in a 2001 settlement of charges it provided free samples of Lupron, a prostate cancer drug, to physicians with the understanding that the doctors would bill Medicare for reimbursement.

Last July, suburban Chicago-based Abbott agreed to pay \$600 million in fines after being accused by Illinois federal prosecutors of misleading Medicare about the cost of liquid food and its electronic pump used to get nutrition into stomachs of patients unable to ingest meals.

AstraZeneca Plc., Europe's second-biggest drugmaker, paid \$355 million in fines earlier in 2003 for the way it sold a cancer drug.

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